

Trespass Towing Advisory Board FY 2021 Annual Report



Trespass Towing Advisory Board
December 2021

FAIRFAX COUNTY BOARD OF SUPERVISORS



Jeffrey C. McKay
Chairman

Penelope A. Gross
Vice Chairman
Mason District

James R. Walkinshaw
Braddock District

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Dranesville District

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Providence District

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Springfield District

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CHAIRPERSON'S MESSAGE

The Trespass Towing Advisory Board was formed to help regulate the towing industry and protect consumer rights from illegal, fraudulent, or deceptive practices within the industry. The Board continues to work with the Department of Cable and Consumer Services staff to ensure that best practices are followed. I thank the Board of Supervisors for the opportunity to serve the residents and fellow businesses of Fairfax County.

Fred Scheler
Chairperson
Trespass Towing Advisory Board

EXECUTIVE SUMMARY

The Trespass Towing Advisory Board was established in 2006 by the Board of Supervisors. Localities in Virginia are enabled to regulate the immobilization and removal of vehicles from private property by VA Code 46.2-1233. Fairfax County exercises this authority through the enactment of Chapter 82-5-32 of the Fairfax County Code. The Board advises the Fairfax County Board of Supervisors and provides recommendations to proposed changes to the code.

The Trespass Towing Advisory Board is composed of five voting members plus a non-voting member. Members are appointed by the Board of Supervisors to three-year terms. Two members represent towing operators, two members represent local law enforcement and two members represent citizens, one voting and one non-voting alternate. Staff support for the Trespass Towing Advisory Board is provided by the Consumer Services Division of the Department of Cable and Consumer Services. Staff responds to inquiries for information, referrals, advice, complaints and meditation from the public regarding trespass towing issues.



TRESPASS TOWING ADVISORY BOARD

Fred Scheler
Chairperson
Towing Member

Sgt. Harold Morris
Vice Chairperson
Law Enforcement Member

Al Leach
Towing Member

John Fee
Citizen Member

Detective Sean Regan
Law Enforcement Member

Denver Supinger
Citizen Member Alternate

During FY 2021, the Board meetings included the following items:

TRESPASS TOWING ADVISORY BOARD NOMINATION AND ELECTION OF OFFICERS – DECEMBER 2020

The Board nominated and elected candidates for Chairperson, Vice Chairperson, and Secretary. Director Liberman updated the Board on the process and changes made to the bylaws template. Member Scheler asked to bring to a vote a proposed towing rates increase at the next meeting.

TRESPASS TOWING RATES – JANUARY 2021

Chairperson Scheler provided a review of the industry proposal to increase trespass towing rates in Fairfax County. The Board voted unanimously to recommend an increase in the trespass towing rates to the Board of Supervisors.

TRESPASS TOWING ADVISORY BOARD BYLAWS – MARCH 2021

The Board approved the amended Trespass Towing Advisory Board bylaws.

COVID-19 PANDEMIC RESPONSE

The efforts and work by the Department of Cable and Consumer Services was accomplished with the majority of staff teleworking and those required to be onsite having adopted protocols necessary to conduct work in a safe manner. The Department of Cable and Consumer Services created and posted Coronavirus-related consumer advice posts on social media. Consumer Affairs continues to have a strong social media presence, posting 168 consumer advice posts in reference to COVID-19, scams, price gouging, evictions, utility providers, and more. Consumer Affairs participated in virtual consumer outreach events and produced a special edition of the television show, *Your Community, You're Connected*, to provide resources to homeowner and community

Stay Informed about Coronavirus (COVID-19) in Fairfax County.

DCCS Announcements.

The Department of Cable and Consumer Services (DCCS) will continue to be available to the public by telephone at 703-222-8435, TTY 711, or email at consumer@fairfaxcounty.gov.

If you have an open complaint, please contact the assigned Consumer Specialist preferably by email.

- **CONSUMER COMPLAINT:** File an online consumer [complaint form](#).
- **TENANT-LANDLORD:** Read the updated [Eviction Process](#).
- **SCAMS:** Stay alert for Coronavirus (COVID) [Scams](#).
- **UTILITIES:** Review the list of [utilities](#) suspending service disconnections, offering other billing options.
- **PRICE-GOUGING:** Understand the [Virginia Disaster Anti-Price Gouging Act](#).

associations on how to navigate electronic meetings and other member issues. Regulation and Licensing processed license applications on an as-needed basis and was a resource for the community on towing and solicitation during this time. Staff also prepared the Government Center Conference Center to serve as a vaccination clinic activated by the Fairfax County Health Department in January 2021 and still in operation. The Department of Cable and Consumer Services remains responsive to the changing conditions and requirements in order to fulfil the agency mission during the pandemic.

REGULATION AND LICENSING

Regulation and Licensing is responsible for issuing licenses, permits, certificates, or registrations to taxicab operators, taxicab drivers, canvassers, peddlers, solicitors, vendors, promoters, massage establishments and therapists, pawn brokers, precious metal and gem dealers, going out-of-business sales, solicitors representing charitable organizations, trespass tow operators, and shared mobility devices for hire operators. Regulation and Licensing also conducts taxicab inspections to ensure vehicle safety and accuracy of taximeters. Regulation and Licensing reviews new taxicab certificate applications and recommends to the Consumer Protection Commission and Board of Supervisors the appropriate number of taxicabs required to service transportation needs in the County. Regulation and Licensing investigates complaints and develops rate recommendations for taxicab services and certain rate recommendations for trespass towing within the County. Regulation and Licensing mediates and investigates trespass towing complaints, to include fees charged to the consumer, appropriate trespass towing signage, and other required provisions of the County code. Staff also inspects trespass towing lots located both inside and outside Fairfax County to ensure the lots are in compliance with applicable state and county codes. Regulation and Licensing provides staff support to the Trespass Towing Advisory Board which makes recommendations to the Board of Supervisors on towing industry regulations and rates.

TRESPASS TOWING

In Fairfax County, trespass towing is regulated by Chapter 82-5-32 of Fairfax County Code. The term “trespass towing” applies to vehicles that are towed from private property at the direction of the property owner or manager, and without the permission of the vehicle owner.

Trespass tow operators are required to register with the Department of Cable and Consumer Services before engaging in trespass tow operations in Fairfax County.

These tow operators are registered to conduct trespass towing in Fairfax County, and to store those vehicles at a storage site inside of Fairfax County only:

- A-1 Towing & Recovery
- Accurate Towing & Storage, Inc.
- Battlefield Towing & Storage, Inc.
- Boulevard Towing & Storage, LLC
- Community Towing Service, LLC
- Dominion Towing, Inc.
- JDR Towing, Inc.
- Pete’s Towing & Storage, LLC
- Redman Fleet Services, Inc.
- Springfield Wrecker Service
- Virginia Towing and Storage
- VPS Towing & Recovery

These tow operators are registered to conduct trespass towing in Fairfax County and to store those vehicles at a storage site either inside or outside of Fairfax County:

- Advanced Towing Company, LLC
- Al’s Towing & Storage, Inc.
- Blair’s Towing & Recovery, Inc.
- Empire Towing
- Fairfax Towing and Recovery
- Henry’s Wrecker Service, LLC
- Roadrunner Wrecker Service

The current fees for trespass towing in Fairfax County are noted below (effective October 31, 2021). These fees apply only to vehicles that are trespass towed from private property. These fees do not apply to vehicles at the direction of the vehicle owner or law enforcement officer.

Hookup and initial towing fee shall not exceed:

- GVRW of 7,500 pounds or less: \$150
- GVRW of 7,501 pound to 10,000 pounds: \$250
- GVRW greater than 10,000 pounds: \$500

Add-on fees:

- If towed between 7:00 p.m. and 8:00 a.m.: \$30
- If towed on any Saturday or Sunday: \$30
- If towed on a holiday: \$30
- *Maximum allowable add-on: \$60 per tow*

Storage fees:

- First 24 hours of storage: no charge
- Each subsequent 24 hour period, or portion thereof: \$50 per day
- For vehicles over 22 feet in length: \$5/foot per day

Administrative fees:

- After vehicle has been in possession of the tow operator for three full business days, and notification made to the lien holder, owner, agency, or other interested party: \$75
- Drop fee, if dropped prior to removal from private property: \$50

CONSUMER COMPLAINTS

Consumers can file a complaint on the County Web site, in-person, or through the U.S. Mail. Once a complaint is filed, a Consumer Specialist works with the consumer and business to assist both parties in reaching a favorable resolution.

In FY 2021, staff mediated and investigated consumer complaints on a variety of topics, such as tenant-landlord, home improvement, cable television, towing, and automotive.

Towing complaints include authorized tows, towing fees, and failure by towing companies to properly display signs. The chart below reflects trespass towing complaints mediated over the last five years.

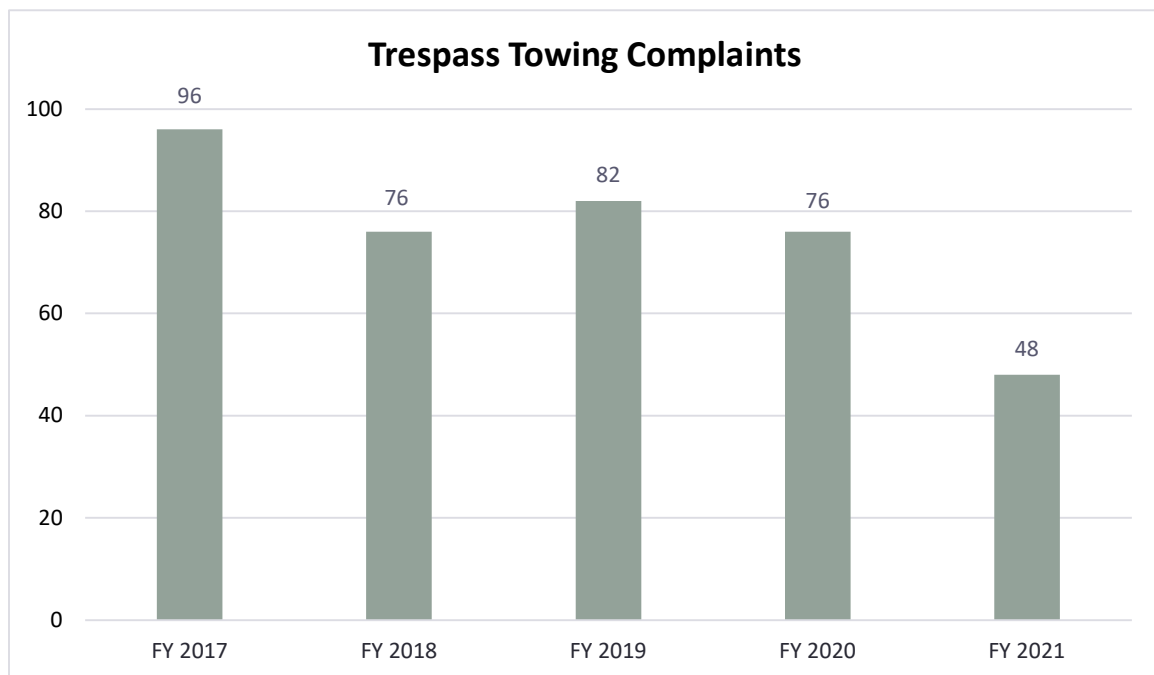


Figure 2 Trespass Towing Complaints from Fiscal Year 2017 to 2021

Through the mediation efforts provided by Regulation and Licensing, \$1,165 was recovered for consumers in FY 2021.

IN REVIEW

The Board and Regulation and Licensing staff monitor consumer trends to ensure educational information is made available to consumers so they can make informed decisions. The Board is committed to serving consumers and businesses to make certain that all state and County codes are met. The Board continues to make recommendations on trespass towing operations and rates to the Board of Supervisors and stays abreast of changes to legislation that affect consumers.

Fairfax County Trespass Towing Advisory Board

12000 Government Center Parkway, Suite 127

Fairfax, VA 22035

703-324-5966 TTY 711

<https://www.fairfaxcounty.gov/cableconsumer/csd/regulation-licensing/trespass-towing-advisory-board>

<https://www.fairfaxcounty.gov/cableconsumer/csd/regulation-licensing>



To request this information in an alternate format, call the Department of Cable and Consumer Services, 703-222-8435 TTY 711.



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